

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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:  
**MARSHA NESBITT,**

**Plaintiff,**

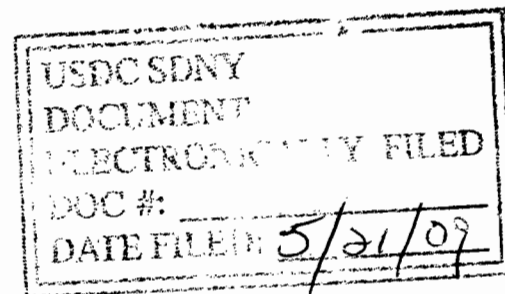
**-against-**

**MANHATTAN DISTRICT ATTORNEY  
OFFICE, FREDERICK WATTS,**

**Defendants.**  
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**ORDER**

**08 Civ. 6663 (SAS) (FM)**



**SHIRA A. SCHEINDLIN, U.S.D.J.:**

I have reviewed the Report and Recommendation ("R&R") of United States Magistrate Judge Frank Maas, dated March 27, 2009, which recommends that defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) be granted.

Although plaintiff was given the opportunity to file objections to the R&R by April 13, 2009, she chose not to do so. Based on my independent review, I find that defendants' res judicata argument has merit and therefore adopt the R&R in full. The Clerk of the Court is directed to close the instant motion (Document # 9) and this case.

SO ORDERED:



Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
May 21, 2009

**- Appearances -**

**Plaintiff (Pro Se):**

Marsha Nesbitt  
240 West 29th Street,  
Apt. # 4C  
New York, NY 10027  
(212) 222-1945

**For Defendants:**

Devor D. Perry  
Assistant Corporation Counsel  
NYC Law Department  
100 Church Street  
New York, NY 10007  
(212) 788-0917